

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference Case 21516	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 03/13665	International filing date (day/month/year) 04/12/2003	(Earliest) Priority Date (day/month/year) 06/12/2002
Applicant ROCHE VITAMINS AG		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/01 A61K31/07 A61K31/353 A61K31/37

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, PAJ, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01 22958 A (AVANSIS LTD ; CAREY ADAM HENRY (GB); CAREY BEVERLY JANE (GB); HAYNE) 5 April 2001 (2001-04-05) page 7, line 22 - line 27 page 9, line 17 - line 26 ---	1-5, 7, 13-22, 25-28, 30, 31
X	WO 02 058683 A (PARAN ESTER ; ZELKHA MORRIS (IL); LYCORED NATURAL PROD IND LTD (IL)) 1 August 2002 (2002-08-01) page 6, line 17 - line 24; example 2 --- -/--	1, 2, 5, 7, 13, 14, 19, 20, 22, 23, 26-31

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

° Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

8 April 2004

Date of mailing of the international search report

29/04/2004

Name and mailing address of the ISA

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Authorized officer

Loher, F

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>PARAN ESTHER ET AL: "Effect of tomato's lycopene on blood pressure, serum lipoproteins, plasma homocysteine and oxidative stress markers in grade I hypertensive patients"</p> <p>AMERICAN JOURNAL OF HYPERTENSION, vol. 14, no. 4 Part 2, April 2001 (2001-04), page 141A XP002276573</p> <p>Sixteenth Annual Scientific Meeting of the American Society of Hypertension; San Francisco, California, USA; May 15-19, 2001 ISSN: 0895-7061 the whole document</p>	1,5,7, 13-16, 19-31
X	<p>US 2002/155163 A1 (BENJAMIN SAMUEL D ET AL) 24 October 2002 (2002-10-24)</p> <p>claim 10</p>	1-10, 13-16, 19-31
X	<p>DE 101 09 798 A (AVENTIS PHARMA GMBH) 12 September 2002 (2002-09-12)</p> <p>paragraphs '0187!', '0188!</p>	1-3, 6-10, 13-16, 19-31
X	<p>US 2002/001632 A1 (REVEL CHASE) 3 January 2002 (2002-01-03)</p> <p>paragraphs '0031!', '0035!</p>	1,4-7, 12-14, 19,22, 25-27, 30,31
X	<p>EP 1 314 438 A (NUTRICIA N V) 28 May 2003 (2003-05-28)</p> <p>example 5</p>	1,4-7, 12-14, 18,19, 22, 25-27, 30,31

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FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

Continuation of Box I.1

Although claims 25-31 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compounds.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP 03/13665

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

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Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/13665

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 0122958	A	05-04-2001	AU	7436300 A	30-04-2001
			EP	1225893 A2	31-07-2002
			WO	0122958 A2	05-04-2001
			US	2002172729 A1	21-11-2002
WO 02058683	A	01-08-2002	BR	0206944 A	17-02-2004
			CA	2435562 A1	01-08-2002
			EP	1363610 A2	26-11-2003
			WO	02058683 A2	01-08-2002
			NO	20033234 A	22-09-2003
US 2002155163	A1	24-10-2002	NONE		
DE 10109798	A	12-09-2002	DE	10109798 A1	12-09-2002
			AU	2193402 A	24-06-2002
			WO	0247493 A2	20-06-2002
			EP	1355539 A2	29-10-2003
			US	2002146463 A1	10-10-2002
US 2002001632	A1	03-01-2002	US	2002001633 A1	03-01-2002
EP 1314438	A	28-05-2003	EP	1314438 A1	28-05-2003
			WO	03043658 A1	30-05-2003

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